IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINETH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 7725 of 1995

Between:

Narayana, S/o. Rajaiah, The Nizamabad Cooperative Sugar Factory Ltd., Nizamabad.

..... PETITIONER

AND

1.The Secretary to Government, Industries and Commerce Department, Secretariat, Hyderabad.
2.The Director of Sugars and Cane Commissioner,
Andhra Pradesh, Hyderabad.
3.The Managing Director, Nizamabad Cooperative Sugar Factory Ltd., Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ order or direction declaring the Superannuation Notice No. NCSF/PD/Mech/117/95 dt.27.3.1995 issued by the 3rd respondent to the petitioner as null void, contrary to the terms of G.O.Ms.No.396, Industries and Commerce (Sugar II) Dept. dt.3.9.1990, contrary to the Circular Memo in Rc.No.10169/90/G1 dt.3.9.1990 of the 2nd respondent herein, contrary to the recommendations of 2nd and 3rd Wage Boards, contrary to the Memorandum of Settlement entered into between the 3rd respondent the workers Representatives, arbitrary, unreasonable and issue a consequential direction to the respondents here in not to give effect to the same and further direct the respondents here in to continue the petitioner in service till the petitioner attains the age of 60 years and pass such other order or orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.M.RAJAMALLA REDDY

Counsel for the Respondents: GP FOR INDUSTRIES & COMMERCE

The Court made the following:

THE HONOURABLE SRI JUSTICE D.S.R.VARMA

W.P.NO.7725 OF 1995

ORAL ORDER:

The learned counsel appearing for the petitioner as well as the learned Government Pleader for Industries and Commerce submits that the writ petition has become infructuous in view of the fact that the petitioner has attained the age of superannuation and already retired from service.

2. Recording the said submission, the writ petition is dismissed as having become infructuous. However, there shall be no order as to costs.

09TH JUNE 2005 D.S.R.VARMA, J

KRK

To:

1.The Secretary to Government, Industries and Commerce Department, Secretariat, Hyderabad.
2.The Director of Sugars and Cane Commissioner,
Andhra Pradesh, Hyderabad.
3.The Managing Director, Nizamabad Cooperative Sugar Factory Ltd., Nizamabad.

4.Two CCs to the Government Pleader for Industries, High Court Buildings, Hyderabad (OUT).

5.Two C.D. copies.